IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN

WEDNESDAY, THE 13TH DECEMBER 2006 / 22ND AGRAHAYANA 1928

WP(C).No. 32775 of 2006(B)

PETITIONER:

JAYESH T. BABY,
THOMBRA HOUSE, PONJASSERY P.O.,
PERUMBAVOOR.

BY ADV. SRI.PREMJIT NAGENDRAN
SMT.K.B.SUBHAGAMANI

RESPONDENTS:

1. THE INTELLIGENCE OFFICER,
SQUAD - I, IDUKKI, KATTAPPANA P.O.

2. THE DEPUTY COMMISSIONER(APPEALS),
ERNAKULAM.

3. THE VILLAGE OFFICER,
ARAKKAPADY, PERUMBAVOOR.

BY GOVT.PLEADER SRI JULIAN XAVIER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

P.R.RAMAN, J.

W.P.(C).NO.32775 OF 2006

Dated this the 13th day of December, 2006

JUDGMENT

As against the order Ext.P2 modified by Ext.P3 imposing penalty of Rs.10,000/- on the petitioner, who is a driver of the vehicle, he has preferred an appeal, Ext.P4 along with the stay application, Ext.P5. However, since there is a delay in filing the appeal, he filed a petition for condonation of delay, Ext.P6. In such circumstances, he prays that appropriate interim relief be granted till the disposal of the appeal.

2. Heard both sides.

3. Considering the fact that the petitioner is only a driver and the penalty imposed is Rs.10,000/-, there will be an interim stay of collection of the penalty pending consideration of the matter by the

Appellate Authority. There will be a direction to the Appellate Authority to consider and dispose of the delay condonation petition and if condoned, to dispose of the appeal itself.

Writ Petition is disposed of as above.

P.R.RAMAN,
JUDGE.

kcv.